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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re:

PG&E CORPORATION,

- and -

PACIFIC GAS AND ELECTRIC
COMPANY,

Debtors.

Affects PG&E Corporation

Affects Pacific Gas and Electric Company

☒ Affects both Debtors

** All papers shall be filed in the Lead Case,
No. 19-30088 (DM)*

Case No. 19-30088 (DM) (Lead Case)
(Jointly Administered)

Chapter 11

**THE RKS CLAIMANTS' OBJECTION
TO *EX PARTE* APPLICATION FOR
ORDER AUTHORIZING
REORGANIZED DEBTORS TO EXCEED
THE 250 CLAIM PER OMNIBUS
OBJECTION LIMIT**

[No Hearing Requested]

1 The RKS Claimants hereby submit this objection to the *Ex Parte* Application For Order
 2 Authorizing Reorganized Debtors to Exceed the 250 Claim Per Omnibus Objection Limit (the
 3 “*Ex Parte* Application”) [Dkt. No. 14652].¹

4 INTRODUCTION

5 Reorganized Debtors seek leave, *ex parte*, to file a fortieth omnibus objection [Dkt. No.
 6 14649] (the “Supplemental Omnibus Objection”) as to 474 claims which, unlike the 39 omnibus
 7 objections that came before it, would not eliminate a single claim if granted. The Court should not
 8 allow this wasteful and inefficient exercise. First, the Supplemental Omnibus Objection violates
 9 the Court’s express instruction that, if the RKS claimants were to amend the RKS Amendment,
 10 “the court will not consider any renewed attempts by PG&E to dismiss at this stage.” [Dkt. No.
 11 14593 at 3]. Reorganized Debtors’ Supplemental Omnibus Objection is a new attempt to challenge
 12 the sufficiency of the amendments to the RKS Amendment, which the Court has already stated it
 13 will not consider.

14 Second, and relatedly, the Supplemental Omnibus Objection is a wasteful and inefficient
 15 exercise, which is contrary to the very purpose of the Securities Omnibus Objection Procedures
 16 [Dkt. No. 10015-1] in the first place. The purpose of the Securities Omnibus Objection
 17 Procedures, and the Securities Claim ADR Procedures established in the same order [Dkt. No.
 18 10015], was to create an efficient process to “facilitate prompt settlement and payment of the
 19 allowed Subordinated Securities Claims” and to “allow the Reorganized Debtors to file objections,
 20 on an omnibus basis, to Subordinated Securities Claims that are not otherwise settled and/or are
 21 facially or procedurally defective.” [Dkt. No. 10015-1 at 2]. The Supplemental Omnibus
 22 Objection is wasteful and inefficient as it will not eliminate a single claim if granted, and will
 23 require pointless motion practice while the parties should be directing their resources toward
 24 completing discovery.

25 The Court should deny the *Ex Parte* Application and allow discovery to proceed without
 26 hinderance.

27 ¹ If the Court does grant the *Ex Parte* Application, the RKS Claimants will oppose the
 28 Supplemental Omnibus Objection separately, at the appropriate time.

ARGUMENT

I. The *Ex Parte* Application Should Be Denied Because It Seeks Leave to File an Objection That Violates the Court’s Decision on the Thirty-Third and Thirty-Fourth Securities Omnibus Claims Objections

In its Memorandum Decision On Thirty-Third and Thirty-Fourth Securities Omnibus Claims Objections, the Court granted the RKS Claimants the ability to amend the RKS Amendment, and directed that, if the RKS Claimants did amend, “the court will not consider any renewed attempts by PG&E to dismiss at this stage.” [Dkt. No. 14593 at 3]. Nonetheless, and directly contrary to the Court’s clear order, following the RKS Claimants’ filing of an amendment to their claims [Dkt. No. 14603] (the “RKS Second Amended Statement of Claim”), Reorganized Debtors now attempt to file the Supplemental Omnibus Objection—which is nothing more than a “renewed attempt[] by PG&E to dismiss” certain portions of the RKS Claimants’ claims.

In doing so, Reorganized Debtors seek leave *ex parte* from the Securities Omnibus Objection Procedures’ prohibition against filing an omnibus objection as to more than 250 claims at a time, because the Supplemental Omnibus Objection pertains to 474 claims. [See Dkt. No. 14652 at 1.] The Court should deny the *Ex Parte* Application because it seeks leave to file an omnibus objection that the Court has already prohibited—*i.e.*, an objection to the RKS Claimants’ amended claims. Because the Court has already prohibited the filing of a subsequent sufficiency objection to any amended claim filed by the RKS Claimants, the Supplemental Omnibus Objection is futile, and granting the *Ex Parte* Application would not further any meritorious purpose. In short, because Reorganized Debtors’ Supplemental Omnibus Objection is prohibited, the Court should not grant leave from the provisions of the Securities Omnibus Objection Procedures to further the consideration of the prohibited objection.

II. The Relief Requested in the *Ex Parte* Application Is Contrary to the Underlying Purpose of the Securities Omnibus Objection Procedures

The Court should further deny the *Ex Parte* Application because the underlying objection Reorganized Debtors seek to file is contrary to the aims of the Securities Omnibus Objection Procedures. The Securities Omnibus Objection Procedures were ordered in tandem with the Securities ADR Procedures in an effort to streamline these proceedings and facilitate settlement

1 of as many claims as possible. The way that the Securities Omnibus Objection Procedures promote
2 efficiency, is by allowing Reorganized Debtors to object to groups of claims that “are facially or
3 procedurally defective[,] . . . eliminat[ing] the need to potentially file thousands of duplicative
4 individual objections to Subordinated Securities Claims[.]” [Dkt. No. 10015-1 at 2]. In other
5 words, the point of the Securities Omnibus Objection Procedures is to **actually reduce the number**
6 **of claims** by weeding out large numbers of similarly defective claims. The Supplemental Omnibus
7 Objection is thus unlike all other omnibus objections before it in that, even if granted, it will not
8 eliminate **a single claim**. Indeed, by only addressing the relatively minor amendments made in
9 the RKS Second Amended Statement of Claim, all of the actual claims will continue to proceed
10 regardless of whether the Court agrees with the Supplemental Omnibus Objection.

11 This is antithetical to the purpose of the Securities Omnibus Objection Procedures.
12 Because the RKS Claimants’ claims are proceeding largely intact into discovery, the Supplemental
13 Omnibus Objection serves only to needlessly drain the Courts’ and the parties’ resources while the
14 parties should be focusing their efforts on completing discovery in a timely manner. Given the
15 relatively few amendments in the RKS Second Amended Statement of Claim, the Supplemental
16 Omnibus Objection will have virtually no effect on the scope of discovery as to these claims. It is
17 simply motion practice for the sake of motion practice. Reorganized Debtors will have the chance
18 to again seek to disallow the entirety of the RKS Claimants’ claims on a motion for summary
19 judgment, in accordance with the current schedule entered by the Court. The Court should not
20 grant Reorganized Debtors leave from the requirements of the Securities Omnibus Objections
21 Procedures to subvert its very purpose by bogging these claims down in unnecessary and
22 inefficient motion practice. The Court should deny the *Ex Parte* Application.

23 CONCLUSION

24 For the foregoing reasons, the RKS Claimants respectfully request that the Court deny the
25 *Ex Parte* Application.

1 Dated: November 22, 2024

ROLNICK KRAMER SADIGHI LLP

2 By: /s/ Richard A. Bodnar
3 Richard A. Bodnar

4 *Attorneys for the RKS Claimants*

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